

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Willebrand et al.	)	
Application No.: New	)	
Filed: Herewith	)	Express Mail Label No.:
For: HYBRID WIRELESS OPTICAL	)	<b>EV322440767US</b>
AND RADIO FREQUENCY	)	
COMMUNICATION LINK	)	
Examiner: Not Yet Assigned	)	Date of Deposit:
Group Art Unit: Not Yet Assigned	)	<b>August 21, 2003</b>
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	)	

**IDENTIFICATION OF THE PENDING APPLICATION  
OF ANOTHER PURSUANT TO 37 C.F.R. § 1.604(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The present application filed herewith is a continuation of prior U.S. Application Number 09/482,782, filed January 13, 2000.

This paper is submitted to satisfy the requirements of 37 C.F.R. § 1.604(b). Specifically, the claims presented in the present application filed herewith were copied from U.S. Patent Application Publication No. US 2002/0122230 A1, published September 5, 2002, entitled "Hybrid RF and Optical Wireless Communication Link and Network Structure Incorporating it Therein" ("the '230 publication"), which is a

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publication of pending U.S. Application Number 09/800,917, filed March 5, 2001, by Izadpanah et al. ("the '917 application"). The present application filed herewith and the '917 application are not owned by the same party, and so the '917 application is a pending application of another.

All 28 claims were copied from the '230 publication. The following table identifies each claim number of the present application, the corresponding claim number in the '230 publication, the text of each claim, and how the terms of each claim apply to the disclosure of the present application:

No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
1	1	A node incorporating hybrid radio frequency and optical wireless communication links, the node comprising: a. at least one laser portion for transmitting data; b. at least one radio frequency portion for transmitting data; c. a data receiver for receiving data from a data source; and d. a controller configured to receive data from a data source and connected with the laser portion and the radio frequency portion to allocate portions of the data to be transmitted through the laser portion and the radio frequency portion.	Figs. 1 and 3, Master Station 22 and/or Slave Station 24;  Figs. 3 and 4, OTs 56 and 64; Fig. 3, RF Transceivers 58 and 66; Figs. 3, 5 and 6, TIUs 60 and 68; Figs. 3, 5 and 6, TIU 60 and CIU 62, and TIU 68 and CIU 70; page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.
2	2	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 1, wherein the controller is configured as a binary switch such that the data is transmitted exclusively through either one of the laser portion and the radio frequency portion.	Page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
3	3	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 2, wherein the controller is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	Page 23, line 34 to page 24, line 23;  Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.
4	4	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 1, wherein the controller is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	Page 23, line 34 to page 24, line 23;  Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.
5	5	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 1, wherein the laser portion is configured to both transmit and receive and wherein the radio frequency portion is configured to both transmit and receive.	Figs. 3 and 4, OTs 56 and 64; page 17, line 28 to page 18, line 17. Figs. 3 and 4, RF Transceivers 58 and 66; page 20, lines 9-22.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
6	6	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the laser portion and the radio frequency portion are configured to transmit in multiple channels.	Page 19, line 33 to page 20, line 32; and Figs. 2 and 8-11, col. 7, line 57 to col. 8, line 29 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
7	7	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 6, wherein the controller is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	Page 23, line 34 to page 24, line 23;  Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.
8	8	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the controller is configured as a binary switch such that the data is transmitted exclusively through either one of the laser portion and the radio frequency portion.	Page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.
9	9	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the controller is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	Page 23, line 34 to page 24, line 23;  Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
10	10	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the laser portion and the radio frequency portion have transmit and receive strengths, and wherein the controller is configured to monitor the transmit and receive strengths, wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on their transmit and receive strengths.	Page 11, line 5 to page 12, line 24; page 20, lines 9-32; page 25, lines 14-35.  Page 11, line 5 to page 12, line 24.
11	11	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the controller includes a plurality of latches and a logic device, wherein the plurality of latches and the logic device operate to provide adjustment levels for the portions of the data to be transmitted through the laser portion and the radio frequency portion.	Figs. 3, 5 and 6, CIUs 62 and 70 and TIUs 60 and 68.  Page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.
12	12	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 11, wherein the laser portion and the radio frequency portion have aggregate transmit and receive strengths, and wherein the controller is configured to monitor the aggregate transmit and receive strengths, wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on their transmit and receive strengths.	Page 11, line 5 to page 12, line 24; page 20, lines 9-32; page 25, lines 14-35.  Page 11, line 5 to page 12, line 24.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
13	13	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 11, wherein the laser portion and the radio frequency portion are configured to transmit in multiple channels.	Page 19, line 33 to page 20, line 32; and Figs. 2 and 8-11, col. 7, line 57 to col. 8, line 29 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
14	14	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 13, wherein the each channel has a transmit and receive strength, and wherein the controller is configured to monitor the transmit and receive strength of each channel, wherein the channels of the data to be transmitted through the laser portion and the radio frequency portion are determined by the controller based on their transmit and receive strengths.	<p>Page 11, line 5 to page 12, line 24; page 20, lines 9-32; page 25, lines 14-35.</p> <p>Page 11, line 5 to page 12, line 24.</p> <p>Page 19, line 33 to page 20, line 32; and Figs. 2 and 8-11, col. 7, line 57 to col. 8, line 29 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.</p>
15	15	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 5, wherein the at least one laser portion and the at least one radio frequency portion are configured to transmit and receive in tandem, whereby the node may be configured to provide a hybrid serial link to permit tailored radio frequency or optical network connections.	<p>Page 9, line 29 to page 10, line 16; and</p> <p>Figs. 1 and 4, col. 7, lines 16-24, and col. 9, lines 3-26 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.</p>

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
16	16	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 15, wherein the laser portion and the radio frequency portion are configured to transmit and receive in multiple channels.	Page 19, line 33 to page 20, line 32; and Figs. 2 and 8-11, col. 7, line 57 to col. 8, line 29 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
17	17	A node incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 15, wherein an optical reflector is used to deflect transmissions from the laser portion in order to work around fixed objects in the environment, whereby the node may be used to extend a network and the laser portion can maintain communication without the need for a strict line-of-site connection.	Figs. 1 and 4, col. 7, lines 16-24, and col. 9, lines 3-26 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
18	18	<p>A network incorporating hybrid radio frequency and optical wireless communication links, said network comprising a plurality of nodes, each node including:</p> <ul style="list-style-type: none"><li>a. at least one laser portion for transmitting data;</li><li>b. at least one radio frequency portion for transmitting data;</li><li>c. a data receiver for receiving data from a data source; and</li><li>d. a controller configured to receive data from a data source and connected with the laser portion and the radio frequency portion to allocate portions of the data to be transmitted through the laser portion and the radio frequency portion.</li></ul>	<p>Page 9, line 18 to page 10, line 16; and Fig. 1 and corresponding discussion in U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.</p> <p>Figs. 1 and 3, Master Station 22 and/or Slave Station 24;</p> <p>Figs. 3 and 4, OTs 56 and 64; Fig. 3, RF Transceivers 58 and 66; Figs. 3, 5 and 6, TIUs 60 and 68; Figs. 3, 5 and 6, TIU 60 and CIU 62, and TIU 68 and CIU 70; page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.</p>
19	19	<p>A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein the controller of each node is configured as a binary switch such that the data is transmitted exclusively through either one of the laser portion or the radio frequency portion.</p>	<p>Page 18, line 18 to page 19, line 13; page 29, line 21 to page 30, line 8.</p>



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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
20	20	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 19, wherein the controller of each node is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	<p>Page 23, line 34 to page 24, line 23;</p> <p>Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.</p>
21	21	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein the controller is configured to receive environmental information, and wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on the environmental information.	<p>Page 23, line 34 to page 24, line 23;</p> <p>Page 23, line 34 to page 24, line 23; page 4, line 33 to page 6, line 17; page 7, lines 5-30; page 10, line 17 to page 11, line 23; page 28, lines 15-33.</p>
22	22	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein the laser portion and the radio frequency portion of each node have transmit and receive strengths, and wherein the controller is configured to monitor the transmit and receive strengths, wherein the portions of the data to be transmitted through the laser portion and the radio frequency portion are adjusted by the controller based on their transmit and receive strengths.	<p>Page 11, line 5 to page 12, line 24; page 20, lines 9-32; page 25, lines 14-35.</p> <p>Page 11, line 5 to page 12, line 24.</p>

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
23	23	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein the laser portion and the radio frequency portion of each node are configured to transmit in multiple channels.	Page 19, line 33 to page 20, line 32; and Figs. 2 and 8-11, col. 7, line 57 to col. 8, line 29 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
24	24	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein the at least one laser portion and the at least one radio frequency portion are configured to transmit and receive in tandem, whereby the node may be configured to provide a hybrid serial link to permit tailored radio frequency or optical network connections.	Page 9, line 29 to page 10, line 16; and  Figs. 1 and 4, col. 7, lines 16-24, and col. 9, lines 3-26 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
25	25	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 18, wherein at least a portion of the network is configured with a ring topology.	Page 9, line 18 to page 10, line 16; and col. 7, lines 46-56 and Fig. 1 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
26	26	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 25, wherein at least a portion of the network is configured as a SONET ring.	Page 9, line 18 to page 10, line 16; and col. 7, lines 46-56 and Fig. 1 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.

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No. of Claim in Present App.	No. of Claim in '230 Pub.	Text of Claim	Example Citations to Disclosure of Present App.
27	27	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 23, wherein at least a portion of the network is configured with a ring topology.	Page 9, line 18 to page 10, line 16; and col. 7, lines 46-56 and Fig. 1 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.
28	28	A network incorporating hybrid radio frequency and optical wireless communication links as set forth in claim 27, wherein at least a portion of the network is configured as a SONET ring.	Page 9, line 18 to page 10, line 16; and col. 7, lines 46-56 and Fig. 1 of U.S. Pat. No. 6,239,888, which issued from U.S. App. No. 09/065,685, filed 4/24/98, which is incorporated into the present app. by reference, as well as the parent app. hereto.

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C O N C L U S I O N

Applicants submit that they have hereby satisfied the requirement to notify the Examiner that the claims presented in the present application filed herewith were copied from U.S. Patent Application Publication No. US 2002/0122230 A1, published September 5, 2002 ("the '230 publication"), which is a publication of pending U.S. Application Number 09/800,917, filed March 5, 2001, by Izadpanah et al. ("the '917 application").

Should there be any questions, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858)552-1311.

Dated

8/21/03

Respectfully submitted,



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